

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 1-20 are pending. Claims 1-20 are amended. Support for the amendments to Claims 1, 6, 11, and 16 can be found in the specification in numbered paragraphs [0038]-[0039], for example. Support for the amendments to the remaining claims is self-evident. No new matter is added.

In the outstanding Office Action, Claims 1, 6, 11, and 16 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Claims 1, 2, 6, 7, 11, 12, 16, and 17 were rejected under 35 U.S.C. § 103(a) as obvious over Pak-Wah Or et al. (U.S. Patent Pub. 2002/0178047, herein “Pak-Wah Or”) in view of Ishimaru et al. (U.S. Patent No. 5,432,710, herein “Ishimaru”) in view of Fukushima et al. (U.S. Patent Pub. 2002/0035496, herein “Fukushima”) in view of Johnson et al. (Economics for Small Scale Package Cogeneration: A Case Study; *The Engineering Economist*; Vol. 34-No. 3, Spring 1989, p. 205-253). Claims 3, 8, 13, and 18 were rejected under 35 U.S.C. § 103(a) as obvious over Pak-Wah Or, Ishimaru, Johnson, Fukushima, in view of Yoshinaga et al. (U.S. Patent No. 5,764,523, herein “Yoshinaga”). Claims 4, 9, 14, and 19 were rejected under 35 U.S.C. § 103(a) as obvious over Pak-Wah Or, Ishimaru, Johnson, Fukushima, and Hansell (U.S. Patent No. 5,528,233, herein “Hansell”). Claims 5, 10, 15, and 20 were rejected under 35 U.S.C. § 103(a) as obvious over Pak-Wah Or, Johnson, Fukushima, and Budike (U.S. Patent No. 6,311,105, herein “Budike”).

At the outset, Applicants note with appreciation the courtesy of a personal interview granted by Examiner Flynn and Supervisory Patent Examiner Hayes to Applicants’ representative. In combination with the Interview Summary provided by Examiner Flynn,

the substance of the personal interview is substantially summarized below in accordance with MPEP § 713.04.

Regarding the rejection of Claims 1, 6, 11, and 16 as indefinite, as discussed during the personal interview, the word “introducing” is replaced with “installation” where appropriate in these claims. Accordingly, as discussed during the personal interview, the rejection of Claims 1, 6, 11, and 16 as indefinite is overcome.

Regarding the rejection of Claims 1, 2, 6, 7, 11, 12, 16, and 17 as obvious over Pak-Wah Or, Ishimaru, Fukushima, and Johnson, that rejection is respectfully traversed by the present response.

Amended independent Claim 1 recites:

A cogeneration introduction simulation method,  
comprising:  
    measuring power consumption volume before  
    introducing a cogeneration system in a facility by a wattmeter;  
    measuring gas consumption volume before introducing  
    the cogeneration system in the facility by a gas meter

Accordingly, actual consumption volumes of electric power and gas in a facility are measured. Thus a cost after installing a cogeneration system can be estimated automatically from that data. With this cost estimation, a user can determine whether to install a cogenerating system or not.

Amended independent Claims 6, 11, and 16 recite substantially similar features.

As the outstanding Office Action asserts, Pak-Wah Or describes “a computer software system remotely monitors and analyzes energy consumption by collecting information from energy sensors” in paragraph [0016]. However, as discussed in the personal interview, Pak-Wah Or does not teach that a power consumption volume and a gas consumption volume are measured before introducing a product and service for solving an energy problem. Rather, Pak-Wah Or detects a problem based on historical data and recommends a purchase to fix the problem. Pak-Wah Or does not teach that a post-installation cost is estimated from pre-

installation data. Moreover, as pointed out in the action, Pak-Wah Or neither discloses nor suggests cogeneration.

Additionally, the features of Claims 4, 9, 14, or 19 and Claims 5, 10, 15, or 20 are not disclosed in Pak-Wah Or.

The outstanding Office Action asserts that Ishimaru discloses cost saving of using a cogenerator concerning electricity and gas usage. However, as discussed during the personal interview, the electricity and gas usage in Ishimaru determined after introducing the cogenerator. Different from the invention recited in amended independent Claim 1, Ishimaru neither teaches nor suggests measuring consumption of electric power and gas before introducing the cogenerator. Accordingly, Ishimaru neither teaches nor suggests measuring consumption volumes of electric power and gas before introducing the cogenerator, and estimating a post-installation cost based on this measured data.

The features of Claims 4, 9, 14, or 19 and Claims 5, 10, 15, or 20 are not disclosed in Ishimaru.

Johnson describes comparison of costs, i.e., a cost of introducing cogeneration and a cost of purchasing all electricity from an electric power company. In Johnson, a cost after introducing cogeneration is **estimated** by assuming the amount of electricity consumption after introducing cogeneration. For example, Johnson teaches the amount of electricity a user consumes ranges from 0 to 4 kWh in the paragraph named “Electricity Consumed” in page 210. This is clearly an assumption, not measurement. As discussed during the personal interview, Johnson neither teaches nor suggests measuring **actual** consumption volumes of electricity and gas, and estimating a cost after introducing cogeneration by measured data.

Additionally, the features of Claims 4, 9, 14 or 19 and Claims 5, 10, 15 or 20 are not disclosed in Johnson.

Fukushima just describes in paragraph [0028] that the running-cost reduction effect of proposed energy-saving facilities is calculated on the basis of operational data of existing facilities in which the cogeneration system will not be installed. Fukushima does not teach estimating a cost automatically after introducing cogeneration from pre-introduction data of electricity and gas consumption volumes which are automatically measured in the facility in which the cogeneration is to be installed. Moreover, Fukushima discloses nothing about cogeneration.

Additionally, the features of Claims 4, 9, 14 or 19 and Claims 5, 10, 15 or 20 are not disclosed in Fukushima at all.

Hansell's disclosure relates to an optical service tool interface for a utility meter. As the outstanding Office Action notes, Hansell describes "the controller 200 encompasses all components of the utility meter, including the means to transmit data from the meter to external receivers via radio frequency transmissions." (Column 3, lines 57-60).

However, Hansell is silent regarding cogeneration, and does not teach measuring pre-introduction consumption volumes of electricity and gas, and does not teach nor suggest estimating a post-introduction cost by measured pre-introduction data.

The outstanding Office Action asserts that features of the Claim 5 are disclosed in Budike. However, Budike at lines 5-11 in column 7 just teaches "the meter device is used for monitoring consumption of a plurality of different utility types with a single meter", "this includes a main housing which contains a central processing unit, visual display means connected to the central processing unit, programming controls, a power source connection and a plurality of meter sensor connections," and so on. Budike does not teach a local transmitter and local receiver are provided in a facility in addition to a transmitter as claimed in the Claim 5.

Moreover, **Budike neither teaches nor suggests measuring consumption volumes of electricity and gas before introducing cogeneration, and estimating a post-introduction cost by measured pre-introduction data**, and thus, Budike fails to remedy the deficiencies of the references discussed above.

As discussed above and in the personal interview, the invention recited in Claim 1 has the unexpected effect that it can be judged easily and adequately whether a cogeneration system should be introduced or not. In the invention recited in Claim 1, current consumption volumes of electric power and gas in a facility are measured automatically, and thus a cost after introducing a cogeneration system is estimated automatically from those data. This means that a difference between the cost between the pre- and post-introduction is calculated automatically.

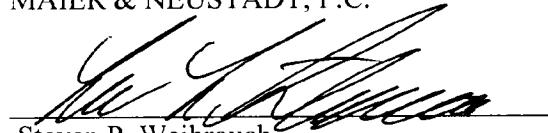
This result is unexpected from the cited references, because none of the cited references teaches estimating a post-introduction based on pre-installation data that are actually measured.

For the foregoing reasons, it is respectfully submitted that this application is now in condition for allowance. A Notice of Allowance for Claims 1-20 is earnestly solicited.

Should Examiner Flynn deem that any further action is necessary to place this application in even better form for allowance, he is encouraged to contact Applicants' undersigned representative at the below-listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Steven P. Weihrouch  
Attorney of Record  
Registration No. 32,829

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)

Lee L. Stepina  
Registration No. 56,837

I:\ATTY\LS\28s\286090US\286090US-AM-DUE-4-13-09.DOC